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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Betageri, Guru

Appl. No. : 09/931,399

Filed : 08/16/2001

For : ENTERIC-COATED
PROLIPOSOMAL
FORMULATIONS FOR
POORLY WATER SOLUBLE
DRUGS

Examiner : Kishore, G.

) Group Art Unit 1615

) I hereby certify that this correspondence and all
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) mail in an envelope addressed to: Assistant
) Commissioner for Patents, Washington, D.C.
) 20231, on

) October 24, 2002

) (Date)

) *Daniel E. Altman*
) Daniel E. Altman, Reg. No. 34,115

RESPONSE TO OFFICE ACTION MAILED JUNE 24, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action, mailed June 24, 2002, Applicant respectfully requests that the Examiner consider the following remarks.

REMARKS

Rejection under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected Claims 8, 13-23 and 35 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner stated that the distinction between the terms liquid and suspensions recited in Claims 8, 13 and 35 is unclear. The Examiner believed that the inclusion of phospholipids would require the formation of suspensions and that a single phase composition could not be formed. However, although phospholipids are lipophilic and can form suspensions, the present invention relates to "enteric